

## Message Text

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PAGE 01     PARIS 20787 161438Z

46

ACTION L-03

INFO OCT-01 EUR-12 ISO-00 SCSE-00 SCA-01 /017 W

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P 161430Z JUL 76

FM AMEMBASSY PARIS

TO SECSTATE WASHDC PRIORITY 3032

UNCLAS PARIS 20787

E.O. 11652: N/A

TAGS: CGEN, FR

SUBJECT: SERVICE OF LEGAL PROCESS IN FRANCE

1. EMBASSY HAS RECEIVED QUERY FROM IRVING BEARMAN, ATTORNEY AT 258 BROADWAY, NEW YORK, N.Y. 10007 (TEL. W02-4820), ASKING US TO "MAKE OUT AFFIDAVIT OF SERVICE FOR SUMMONS AND COMPLAINT IN MATRIMONIAL ACTION SERVED ON DEFENDANT, AN AMERICAN CITIZEN NOW IN PARIS WHO WILLING TO ACCEPT IT."

2. WE HAVE HAD NO PREVIOUS SUCH CASES AND WOULD APPRECIATE DEPARTMENT'S INSTRUCTIONS.

3. SPECIFICALLY WE WOULD LIKE CLARIFICATION OF 7 FAM 874.2 (SERVICE OF LEGAL PROCESS NOT FOREIGN SERVICE FUNCTION EXCEPT IN CERTAIN FEDERAL CASES) VIS-A-VIS ARTICLE 8 OF HAGUE CONVENTION OF NOVEMBER 15, 1965 ON SERVICE ABROAD OF JUDICIAL DOCUMENTS (SERVICE MAY BE PERFORMED BY DIPLOMATIC AND CONSULAR OFFICERS).

4. FRENCH JUSTICE MINISTRY (ENTRAIDE JUDICIAIRE INTERNATIONALE) RECOMMENDS THAT SERVICE OF DOCUMENTS BE DONE THROUGH "CENTRAL AUTHORITY" BUT HAS NO OBJECTION TO SERVICE BY CONSULAR OFFICERS OR BY FRENCH HUISSIERS. WE WOULD PREFER THAT ALL SERVICE OF DOCUMENTS BE THROUGH CENTRAL AUTHORITY EXCEPT WHEN EMBASSY SPECIFICALLY REQUESTED TO SERVE SUBPOENAS PER 7 FAM 874.3 AND 4.

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PAGE 02     PARIS 20787 161438Z

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
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**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
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